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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,761	10/30/2003	Brian S. McCain	TUC920030123US1 (16957)	8747
46263 7590 08/09/2007 SCULLY, SCOTT, MURPHY, & PRESSER 400 GARDEN CITY PL GARDEN CITY, NY 11530			EXAMINER NGUYEN, VAN H	
			ART UNIT 2194	PAPER NUMBER
			MAIL DATE 08/09/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/697,761

Applicant(s)

MCCAIN ET AL.

Examiner

VAN H. NGUYEN

Art Unit

2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 May 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                        |                                                                   |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>05/04/07</u> .                                                | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

1. This communication is responsive to the amendment filed 05/04/2007.

Claims 1-19 are currently pending in this application. Independent claims 1, 7, and 13 have been amended. New dependent claim 19 has been added.

### Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

*(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language; or "* (Emphasis added.)

Claims 1-19 are rejected under 35 U.S.C. 102(e) as being anticipated by **Chinnici et al.**

(Pub. No.: US 2003/0191803A1).

#### As to claim 1:

Chinnici teaches a method for providing a command (*e.g., calls*) from a client-side host (*e.g., client 130*) to a server-side host (*e.g., server 110*) [see the Abstract; Fig. 1 and the associated text], comprising:

invoking a client-side API (*e.g., client side API 135; fig1*) at the client-side host to pass in a set of parameter objects, and to provide a command object that contains the parameter objects; wherein each of the parameter objects represents a different parameter of a command [*e.g., see the multiple-reference objects, parameters, and serialized objects discussion; ¶¶0027, 0057-0059, 0073-0076, 0153-0160, 0163-0179*], the different parameter representing a different function [*e.g., the writer parameter may be the XMLWriter that may be used to write the XML representation of the object. The context parameter may be the SOAPSerializationContext that maybe used during serialization of the object; ¶¶0163-0179*];

serializing the command and parameter objects to provide serialized command and parameter objects; and communicating the serialized command and parameter objects to the server-side host as the command to determine whether the server-side host supports the different function [*e.g., see the serializing/deserializing discussion; ¶¶0011-0012, 0027-0028, 0081-0083, 0014, 0017-0019, 0126-0130, 0139-0154, 0157-0166, 0169-0194, and 0206-0214*].

**As to claim 2:**

Chinnici teaches the server-side host is adapted to attempt to deserialize the serialized command and parameter objects to determine whether the server-side host is compatible with the different parameters of the command that are represented by the parameter

objects [*e.g., see the deserializing discussion; ¶¶0011-0012, 0027-0028, 0081-0083, 0014, 0017-0019, 0126-0130, 0139-0154, 0157-0166, 0169-0194, and 0206-0214*].

**As to claim 3:**

Chinnici teaches if the server-side host cannot successfully deserialize at least one of the serialized parameter objects, the server-side host sends an error message to the client-side host to inform the client-side host that the server-side host does not support the parameter represented by the at least one serialized parameter object that cannot be successfully deserialized [*e.g., see the deserializing discussion; ¶¶0012, 0181, and 0127*].

**As to claim 4:**

Chinnici teaches the server-side host cannot successfully deserialize the serialized parameter objects whose class type is not recognized by the server-side host [*e.g., see the deserializing discussion; ¶¶0012, 0181, and 0127*].

**As to claim 5:**

Chinnici teaches the client-side API comprises a client-side of a command-based API [*e.g., see the client side API 135 discussion; ¶¶0050-0052, 0061, and 0014-0017*].

**As to claim 6:**

Chinnici teaches the server-side host uses a server-side API (*e.g., sever side API 115*) of the command based API to attempt to deserialize the serialized command object and parameter objects [*e.g., see the sever side API and deserializing discussion; Fig.1, ¶¶0041-0043, 0012, 0181, and 0127*].

**As to claim 19:**

Chinnici teaches receiving an error message from the server-side host that the function is not supported; locating a second server-side host; and communicating the serialized command and the parameter objects to the second server-side host [*e.g., see the deserializing discussion; ¶¶0012, 0181, and 0127*].

**As to claim 7:**

Chinnici teaches a method for processing a command (*e.g., calls*) from a client-side host (*e.g., client 130*) at a server-side host (*e.g., server 110*) [*see the Abstract; Fig.1 and the associated text*], comprising:

receiving serialized command and parameter objects at the server-side host as a command from the client-side host; wherein the command object contains the parameter objects, and each of the parameter objects represents a different parameter of the command [*e.g., see the multiple-reference objects, parameters, and serialized objects discussion; ¶¶0027, 0057-0059, 0073-0076, 0153-0160, 0163-0179*], the different parameter representing a different function [*e.g., the writer parameter may be the XMLWriter that may be used to write the XML representation of the object. The context parameter may be*

*the SOAPSerializationContext that maybe used during serialization of the object;*

¶¶0163-0179]; and

deserializing the serialized command and parameter objects to determine whether the server-side host support the different function [e.g., *see the serializing/deserializing discussion*; ¶¶0011-0012, 0027-0028, 0081-0083, 0014, 0017-0019, 0126-0130, 0139-0154, 0157-0166, 0169-0194, and 0206-0214].

**As to claim 8:**

Chinnici teaches the serialized command and parameter objects are obtained at the client-side host by invoking a client-side API (e.g., *client side API 135; fig1*) at the client-side host to pass in a set of the parameter objects, containing the set of parameter objects in the command object, and serializing the command object and parameter objects contained therein [e.g., *see the multiple-reference objects, parameters, serialized objects, and serializing discussion*; ¶¶0011-0012, 0027-0028, 0057-0059, 0073-0076, 0153-0160, 0169-0194, 0170-0204].

**As to claim 9:**

Chinnici teaches if the server-side host cannot successfully deserialize at least one of the serialized parameter objects, the server-side hosts sends an error message to the client-side host to inform the client-side host that the server-side host does not support the parameter represented by the at least one serialized parameter object that cannot be

successfully deserialized (*e.g., see the deserializing discussion; ¶¶0012, 0181, and 0127*).

**As to claim 10:**

Chinnici teaches the server-side host cannot successfully deserialize the serialized parameter objects whose class type is not recognized by the server-side host [*e.g., see the deserializing discussion; ¶¶0012, 0181, and 0127*].

**As to claim 11:**

Chinnici teaches the server-side host uses a server-side API (*e.g., sever side API 115*) of a command based API to attempt to deserialize the serialized command and parameter objects [*e.g., see the sever side API and deserializing discussion; Fig. 1, ¶¶0041-0043, 0012, 0181, and 0127*].

**As to claim 12:**

Chinnici teaches the serialized command and parameter objects are obtained at the client-side host by invoking a client-side API [*e.g., see the client side API 135; fig. 1*] at the client-side host that comprises a client-side of the command-based API [*e.g., see the client side API 135 discussion; ¶¶0050-0052, 0061, and 0014-0017; see also Fig. 1 and the associated text*].



**As to claims 13-18:**

Note the rejection of claims 7-12 above. Claims 13-18 are the same as claims 7-12, except claims 13-18 are storage device claims and claims 7-12 are method claims.

**Response to Arguments**

3. Applicant's arguments filed 05/04/2007 have been considered but they are not persuasive.

**Regarding independent claims 1, 7, and 13**

Applicant's arguments are substantially directed to the amended subject matter. The amended subject matter is addressed above with respect to the discussion of independent claims 1, 7, and 13.

**Regarding dependent claims 2-6, 8-12, and 14-19**

Applicant did not provide arguments regarding the dependent claims.

**Conclusion**

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

### **Contact Information**

5. Any inquiry or a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: (571) 272-2100.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to VAN H. NGUYEN whose telephone number is (571) 272-3765. The examiner can normally be reached on Monday-Thursday from 8:30AM 6:00PM. The examiner can also be reached on alternative Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM THOMSON can be reached at (571) 272-3718.

The fax phone number for the organization where this application or

proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**Any response to this action should be mailed to:**  
Commissioner for patents  
P O Box 1450  
Alexandria, VA 22313-1450



**VAN H. NGUYEN**  
**PRIMARY EXAMINER**